

NOTICE OF MEETING AND AGENDA

Licensing Board

9.30 am Monday, 31st July, 2023

Dean of Guild Courtroom - City Chambers

Contacts

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Full Meeting Papers - Licensing Board - 31 July 2023

Nick Smith

Clerk of the Licensing Board

Licensing Board Members

Councillor Louise Young (Convener), Councillor Chas Booth, Councillor Lezley Marion Cameron, Councillor Pauline Flannery, Councillor Catherine Fullerton, Councillor Margaret Arma Graham, Councillor David Key and Councillor Norman Work

Information about the Licensing Board

General information about the Licensing Board's meeting dates, Policies, etc is available online:

<https://www.edinburgh.gov.uk/licences-permits/edinburghs-licensing-board/1>

All statutory references to Licensing (Scotland) Act 2005, unless stated otherwise

NOTICE OF MEETING

MONDAY 31st July 2023

Start time: 9.30am

DEAN OF GUILD COURTROOM

AGENDA

NOTE: Items 1 and 2 below will be webcast and considered by the Board from 9.30am. The remainder of the meeting will not be webcast.

1. Convenor's Update
2. Minutes of meeting of 26th June 2023, decisions and matters arising
3. Applications – major variations, new provisionals/premises licences, etc – details as set out in separate list
4. Provisional Extension Requests
5. Premises Licence Review – Woodhall Arms, 135-137 Lanark Road West
6. Premises Licence Review – The Mousetrap, 180 Leith Walk

Nick Smith
Clerk of the Licensing Board

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LICENSING BOARD

Licensing Board membership:

Councillor Chas Booth	Councillor Margaret Graham
Councillor Lezley Marion Cameron	Councillor David Key
Councillor Pauline Flannery	Councillor Jason Rust (Vice-Convenor)
Councillor Catherine Fullerton	Councillor Norman Work
	Councillor Louise Young (Convenor)

General information about the Licensing Board's meeting dates, Policies, etc is available online:-

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LICENSING BOARD

MINUTES OF MEETING

MONDAY 26TH JUNE 2023

Board members present: Councillors Louise Young (Convenor); Jason Rust (Vice-convenor); Chas Booth; Pauline Flannery; Margaret Graham; Norman Work

Police: Sergeant Greig Stephen

Council Officers: Veronica McMillan (Regulatory Team Leader); Colin McCulloch (Senior Building Standards Surveyor); Morag Leck (Depute Clerk)

In its consideration of items 1 and 2 below the Board deliberations were broadcast using the Council's webcast system. A copy of the webcast can be viewed [here](#).

1. Convenor's Update

Meeting with Licensing Forum – noted that the first joint meeting between the board and the Licensing Forum had been held. While it had been difficult to find a consensus view on some key issues the meeting had generally been successful. The Youth Forum confirmed that it was happy to engage in policy development.

2. Minutes of meeting of 29th May 2023 and matters arising

The minutes and the decision list for applications considered at the meeting of 29th May 2023 were approved.

Councillor Booth noted that the minutes did not set out whether there had been discussion at the meeting about webcasting future meetings. Councillor Young confirmed that no such discussion had taken place but that she had asked officers to take a preliminary step of contacting individuals who had made objections or representations at past meetings and seeking an informal view as to whether their interaction with the Board meeting would have been different if they had been advised that the meeting would be webcast.

3. Premises Licence Review Hearing – 58 Lochend Road South

The depute clerk referred to the Board's decision that a review hearing should take place in relation to the premises licence for 58 Lochend Road South following a request for a review hearing from Police Scotland.

The Board considered a preliminary representation from the agent instructed by the licence holder. He submitted that the matter set out in the police representation was *sub judice* and that neither he nor the police representative could therefore go into any details in making their case to the Board. There was currently no court date set for proceedings against the licence holder.

The Board agreed to continue the matter until the Procurator Fiscal had indicated whether or not criminal proceeding would go ahead.

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LICENSING BOARD

4. Applications – details as set out in separate list

The details of applications considered by the Board at the meeting on 26th June 2023 are set out in a separate decision list for approval and to be appended to these minutes.

5. Premises Licence Annual Fees 2022/23 – Review Hearing – Update

The Board heard an update from Veronica Macmillan on premises where annual fees for 2022/23 remained unpaid. The Board noted and agreed the following –

- With regard to the premises at 45 Bruntsfield Place the fees had now been paid; the recommendation of no further action was agreed

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS - Continued Provisional PREMISES LICENCE APPLICATIONS

26 June 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	490620	Edinburgh St James Hotel (GP) Limited	TLT Solicitors 9th Floor, 41 West Campbell Street, Glasgow, G2 6SE	1 St James Square, New Town, Edinburgh, EH1 3AX	No	No	Yes	Hotel situated in St James Square, St James Quarter, Edinburgh. CCx2 LSO BSR Ox2 Mr Anthony Jack New Town and Broughton Community Council	GRANTED Capacity 1751 All amplified music and vocals shall be controlled so as not to be an audible nuisance in neighbouring residential premises.' 2200hrs St James Square Terminal Hour 0000hrs upper levels outdoor areas terminal hour, only background music permitted after 2200hrs in upper-level outdoor areas. Children must be accompanied by an adult at all times and be required to vacate the premises by 2300 hours, unless attending a private pre-booked function in which case they may remain until the end of the

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26 June 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
									function or 0100 hours, whichever is earlier. Young persons may remain until 0100 hours. Resident children and young persons may remain on the premises past these times, but not within the bars, restaurants or function areas, unless passing through to other parts of the hotel, and must be accompanied by an adult.

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NOTICE OF APPLICATIONS - Continued Provisional PREMISES LICENCE APPLICATIONS

26 June 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	488669	Chorrito Sauce Co	Chorrito Sauce Co The Old School House, Ground Floor, Krowji, West Park, RedRuth, Cornwall, TR15 3AJ	126 Leith Walk, Albion, Edinburgh, EH6 5DT	Yes	No	No	Chorrito Sauce Cantina is a Hot Sauce production kitchen and Cantina is a small Mexican inspired 12 seater cafe (4x table seat and 8 bar stool) that's provides hot and cold food breakfast / lunch / dinner for consumption on and off the premises, with a small alcohol offering for consumption on premises with food only. CC x2 LSO BSR	Continued from May 2023 Licensing Board meeting Continued to July 2023 Licensing Board meeting

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LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

26 June 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	491021	B.M.C. Social Club (Edinburgh)	B.M.C. Social Club (Edinburgh) 13 Westfield Street, Edinburgh, EH11 2QY	13 Westfield Street, Edinburgh, EH11 2QY	No	No	Yes	To amend on and off sales opening times on Sunday to 10:00. To change Q6(c) the age of children and young persons to be 0-17 years for the purpose of private functions. To amend Q6(b) terms under which children and young persons will be allowed entry to state "Children allowed in both halls, to stay until end of the function, children to be accompanied by an adult at all times". CC LSO	Continued to July 2023 Licensing Board meeting

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LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

26 June 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	493904	Caledonian Heritable	Caledonian Heritable 4 Hope Street, New Town, Edinburgh, EH2 4DB	24a-27 Greenside Place, Edinburgh, EH1 3AA	No	No	Yes	To amend Q6(d) times during which children and young pesons will be allowed entry to read from: 11:00-22:00. To amend Q6(e), to change the area children and young persons are allowed entry to all public areas of the venue but not within 1 metre of the bar servery as food is served in all public areas of the venue. LSO	GRANTED

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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

26 June 2023

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3.	492370	Sainsbury's Supermarkets Limited	TLT Solicitors 9th Floor, 41 West Campbell Street, Glasgow, G2 6SE	9-10 Moray Park, Edinburgh, EH7 5TS	No	Yes	No	To increase the capacity to 344 linear metres. To amend the layout plan following an internal reconfiguration of the premises which has resulted in an increase in the capacity of the alcohol display area to 344 linear metres. CC LSO	GRANTED

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

26 June 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	493700	Edinburgh Consulting Group Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	Unit 5, 130 Dundee Street, Edinburgh, EH11 1AF	Yes	No	No	To add Adult Entertainment as an Activity. To include additional information into Q5(f) stating: The Adult Entertainment will be occasional performances by The Dream Boys for instance, to an extent for which a Sexual Entertainment Licence is not required. CC LSO Repx1 Mechiston Community Council	GRANTED

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

26 June 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
5.	494506	The Real Greek Food Company Limited	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	Unit C4.22, 404-406 St James Crescent, New Town, Edinburgh, EH1 3AE	No	No	Yes	To amend Q5(g) of the operating plan to include live performances to be provided during core and outwith core licensed hours. CC LSO	GRANTED

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS

26 June 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	492924	The Lady & The Bear Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	1 Hope Park Terrace, Newington, Edinburgh, EH8 9LZ	No	No	Yes	Cafe located at a comer site with Hope Park Terrace and Hope Park Crescent CCx2 LSO BSR Ox1 Southside Community Council	GRANTED Capacity 30 10.05 linear meters 22:00 hours terminal hour for outside seating area All amplified music and vocals shall be so controlled so as not to be an audible nuisance in neighbouring residential premises

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NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	492975	Mr Mohamad Abdallah	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	144 Portobello High Street, Edinburgh, EH15 1AH	No	Yes	No	Small convenience store/ newsagent located on the ground floor of a building on Portobello High Street, Edinburgh. CCx2 LSO BSR	GRANTED Capacity 22.2 linear meters All amplified music and vocals shall be controlled so as not to be an audible nuisance in neighbouring residential premises'. Undertaking by the applicant to cover premises window so that alcohol display is not visible from the outside of the premises.

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3.	494537	Bruce Taverns Limited	Macgregor Thomson Solicitors Springfield House, Laurelhill Business Park, Stirling, FK7 9JQ	223 Canongate, Edinburgh, EH8 8BJ	No	No	Yes	The premises is a retail unit within a purpose built new development. The property is located within a food and beverage retail development. CCx2 LSO BSR	GRANTED Applicant withdrew off sales from the application Exception to overprovision policy Capacity 170 All amplified music and vocals shall be controlled so as not to be an audible nuisance in neighbouring residential premises'.

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26 June 2023

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4.	494644	NMS Enterprises Limited	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	Edinburgh Castle, 362 Castlehill, Edinburgh, EH1 2NG	No	Yes	No	Retail shop within the National War Museum located within Edinburgh Castle retailing gift items and products relating to the operation of the National War Museum. CC LSO BSR	GRANTED Exception to overprovision policy Capacity 3.6 linear meters Cllr Graham dissent noted

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5.	494648	NMS Enterprises Limited	TLT Solicitors 9th Floor, 41 West Campbell Street, Glasgow, G2 6SE	National Museum Of Scotland, 44 Chambers Street, Edinburgh, EH1 1JF	No	Yes	No	Retail shop within the National Museum of Scotland retailing gift items and products relating to the operation of the National Museum of Scotland. CC LSO BSR	GRANTED Exception to overprovision policy Capacity 9 linear meters Description of the premises to be amended to include 'sale of specialised spirits and specialised alcohol gift items associated with National Museums of Scotland' Cllr Graham dissent noted

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NOTICE OF APPLICATIONS – Continued Provisional PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	488669	Chorrito Sauce Co	Chorrito Sauce Co The Old School House, Ground Floor, Krowji, West Park, RedRuth, Cornwall, TR15 3AJ	126 Leith Walk, Albion, Edinburgh, EH6 5DT	Yes	No	No	Chorrito Sauce Cantina is a Hot Sauce production kitchen and Cantina is a small Mexican inspired 12 seater cafe (4x table seat and 8 bar stool) that's provides hot and cold food breakfast / lunch / dinner for consumption on and off the premises, with a small alcohol offering for consumption on premises with food only. CCx2 LSO BSR	

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NOTICE OF APPLICATIONS – Continued Variation PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	491021	B.M.C. Social Club (Edinburgh)	B.M.C. Social Club (Edinburgh) 13 Westfield Street, Edinburgh, EH11 2QY	13 Westfield Street, Edinburgh, EH11 2QY	No	No	Yes	To amend on and off sales opening times on Sunday to 10:00. To change Q6(c) the age of children and young persons to be 0-17 years for the purpose of private functions. To amend Q6(b) terms under which children and young persons will be allowed entry to state "Children allowed in both halls, to stay until end of the function, children to be accompanied by an adult at all times". CC LSO	

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NOTICE OF APPLICATIONS - Transfer and Variation PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	493127	Eorna Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	68 Hamilton Place, Stockbridge, Edinburgh, EH3 5AZ	No	No	Yes	Transfer application.To increase the on sales hours to midnight Sunday to Thursday and 1am Friday and Saturday. To add Outdoor Drinking Facilities. To provide that Children and Young Persons must be accompanied by an adult. Children must vacate the premises by 11pm and Young Persons by 1am. To substitute a new Layout Plan showing the outside area. CC LSO Ox 1 Stockbridge and Inverleith Community Council (late)	

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	495617	321 Pasta Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	110 Hanover Street, Edinburgh, EH2 1DR	No	No	Yes	To amend licenced hours to commence from 11am on Sundays. To appoint new premises manager. CC LSO	

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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	496083	NWG Investments Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	13 Duke Street, Edinburgh, EH6 8HG	No	No	Yes	To amend on sale hours on a Friday to 8am to midnight (from 6am to 10pm. To substitute new premises manager. CC LSO BSR	

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31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	496115	Princes Street Suites Limited	Addleshaw Goddard LLP Cornerstone, 107 West Regent Street, Glasgow, G2 2BA	16-22 Waterloo Place, New Town, Edinburgh, EH1 3BG	No	No	Yes	Core times when alcohol will be sold for consumption on premises will be amended to 11 am - 1 am for every day of the week (Monday - Sunday) CC LSO	

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	493841	Fuller Thomson Heritable Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	22-26 South Clerk Street, Edinburgh, EH8 9PR	No	No	Yes	To add Live Performances to Q5(c) to be provided during core and outwith core licensed hours, as an Activity. To change the Designated Premises Manager. To include additional information into Q5(f) stating "The Live Performances will be unplugged folk music and open mic events so as to comply with the Noise Condition". CC LSO Ox1 Southside Community Council	

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31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
5.	496714	Corte Leisure Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	25 Jock's Lodge, Edinburgh	No	No	Yes	To add off sales. To include an additional outside area, within the licensed footprint. To amend premises manager's home address. CC LSO BSR	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
6.	496471	Dunedin Wines Ltd	TLT Solicitors 9th Floor, 41 West Campbell Street, Glasgow, G2 6SE	30 Broughton Street, Edinburgh, EH1 3SB	No	Yes	No	In questions 5 – Add recorded music as an activity within and outwith core hours. Add wording to say “The premises may play recorded music within or outwith core hours for the benefit of staff and customers” Add wording to say “The premises offers a click and collect or delivery service for the sale of alcohol and specialist snacks; licensed point of despatch for internet sales.” CC LSO	

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
7.	492877	Mrs Fiona Macrae	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	49 St Stephen Street, Edinburgh, EH3 5AH	No	No	Yes	To amend on sales end time to 1am each day; to add off sales (with food).To amend on sales Sunday opening time to 11:30am. To add Seasonal Variations. To add additional wording to Q5 stating that certain Activities may take place outwith licensed hours during Seasonal Variations or with the benefit of an Extension of Permitted Hours Application. To amend Q6(b) terms under which children and young persons will be allowed entry. To remove the off sale alcohol display area. To substitute a new Layout Plan reflecting changes in the kitchen layout and remove off sale alcohol display area. To change the description in the Licence to 'restaurant premises located in a building on St Stephen Street, Stockbridge'. To change the Designated Premises Manager. CC LSO Ox 3 Mr and Mrs Knowles Mr Hinds Stockbridge and Inverleith Community Council (late)	

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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

31 July 2023

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8.	496436	Cote Restaurant Group Ltd	Brodies LLP 58 Morrison Street, West End, Edinburgh, EH3 8BP	51 Frederick Street, Edinburgh, EH2 1LH	No	No	Yes	To amend Question 5 to answer Yes to Conference facilities to be provided both outwith and within core licensed hours. To answer Yes to live performances taking place during core licensed hours. To add in the additional information at 5(a) to include conference facilities and restaurant facilities/bar meals – breakfast and other food and non alcoholic beverages may be provided from 7am Monday to Sundays. To add in the additional information at 5(b) to include receptions/club or other group meetings - may provide this facility to include as required food and non alcoholic beverages from 7am Monday to Sundays. To add in the additional information at 5(c) to include recorded music – may be played from 7am Mondays to Sundays. To amend wording in Question 5(f) CC LSO	

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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
9.	495927	Marks and Spencer plc	John Gaunt & Partners Units 39-41 Haslar Marine Technology Park, Haslar Road, Gosport, PO12 2AG	52 Kinnaird Park, Newcraighall, Edinburgh, EH15 3RD	No	No	Yes	To allow the consumption of alcohol on the premises within the existing customer cafe. Wine tasting, cookery demonstrations and a range of other ancillary customer activities/services may be provided on an occasional basis. CC LSO BSR	

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31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
10.	495900	Marks & Spencer Simply Foods limited	John Gaunt & Partners Omega Court, 372 Cemetery Road, Sheffield, S11 8FT	54-60 Princes Street, Edinburgh, EH2 2DF				To allow the consumption of alcohol on the premises within the existing customer cafe. To allow children and young persons entry. CC BSR	

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31 July 2023

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11.	495500	Lochend Golf Club	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	Lochend Golf Club, 147 Craigentenny Avenue, Edinburgh, EH7 6RG	No	No	Yes	Remove conditions 3&4 in relation to the signing in procedure. Add seasonal variations during the christmas/new year period. Provide bar meals and club or other group meetings that may take place outwith core hours. Add outdoor drinking facilities as an activity. Substitute the layout plan to show the outside drinking area. To appoint Designated Premises Manager. CC LSO BSR	

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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
12.	495804	Edinburgh St James D&W Restaurant Operating Company Limited	TLT Solicitors 9th Floor, 41 West Campbell Street, Glasgow, G2 6SE	Unit C.4.13, 400-402 St James Crescent, New Town, Edinburgh, EH1 3AE	No	No	Yes	To amend the commencement hour to 9am Monday to Sunday. To amend the terminal hour to 3am Monday to Sunday. To amend activities to remove reference to indoor/outdoor sports so that wording reads as follows: "The premises may host a variety of events including but not limited to; corporate events/hospitality, tastings and demonstrations, talks, exhibitions, displays, charity/community events and the like." To amend the wording to read "Children will be allowed access to the premises until 11pm when accompanied by an adult. and young persons until 1am." To amend the wording to read "Children will be allowed access to the premises until 11pm when accompanied by an adult. and young persons until 1am." CC LSO Ox1 New Town and Broughton Community council (representation)	

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31 July 2023

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1.	496362	Mr Mahesh Advani	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	14 Clifton Terrace, New Town, Edinburgh, EH12 5DR	No	Yes	No	Small convenience store located on the ground floor and basement of a tenement, on Clifton Terrace, Edinburgh. CCx2 LSO BSR	

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2.	496333	Mr John Eno-Osagie Uwagboe	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	250-252 Leith Walk, Edinburgh, EH6 5EL	No	No	Yes	Restaurant premises located on the ground floor of a building on Leith Walk, Edinburgh CC x2 LSO BSR O x6 Mr Campbell Mr Perkins Ms Robertson Ms Campbell Ms Raynolds Mr Peat Ms McKeen	

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - New PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	494179	Wine Events Scotland Ltd	Ms Janet Hood Kirkton of Balfour, Edzell, Brechin, Angus, DD9 7XU	12 Eildon Terrace, Warriston, Edinburgh, EH3 5LU	No	Yes	No	<p>Premises comprise lock fast cupboard in dining room of domestic premises.[Sale of alcohol for distribution by post, dispatch company or in person by premises licence holder from lock fast cupboard in dining room of domestic premises for purposes of offering specialist online wine tastings and Wine and Spirits Education Trust [WSET] training.]</p> <p>CCx2 LSO BSR</p>	

APPLICATIONS TO EXTEND PROVISIONAL PREMISES LICENCES

1. Purpose

- 1.1 To ask the Board to consider applications to extend the duration of provisional premises licences.

2. Main Report

- 2.1. A number of requests for extension of provisional premises licences have been received.
- 2.2. A provisional premises licence is granted for a period of four years from the date of issue of the licence. If not confirmed before the end of the provisional period, the licence is revoked. Confirmation is obtained upon receipt by the Licensing Board of clear [Section 50](#) certificates (Planning, Building Standards and, where necessary, Food Hygiene).
- 2.3. A provisional premises licence holder may apply to the Board before the end of the provisional period, requesting an extension by such further period as the Board considers appropriate.
- 2.4. In granting such an extension, the Board must be satisfied in terms of [Section 45\(8\)](#) of the 2005 Act that (a) completion of the construction or conversion of the premises to which the licence relates has been delayed and (b) the delay has been caused by factors outwith the premises licence holders' control.
- 2.4 Details of premises for which requests have been made are provided below, with expiry details.

3. Recommendation

- 3.1 In the event the Board is satisfied with the reasons given, the Board is asked to reach a decision on the duration of any extension of the provisional premises licence for each of the requests.

4. Background Information

- 4.1 37A-37B Warrender Park Road – First request
- 4.2 60B Fords Road – First request
- 4.3 277 Portobello High Street – First request
- 4.4 57-59 Great Junction Street – First request
- 4.5 151-153 Lothian Road – First request
- 4.6 57-59 South Clerk Street - First request
- 4.7 1 Market Street – First request
- 4.8 120 Dundas Street – original expiry 27 May 2019. Extended most recently on 27 March 2023 to end of July 2023
- 4.9 49 Forrest Road – original expiry 25 January 2021. Extended most recently on 27 March 2023 to end of July 2023
- 4.10 276 Canongate – original expiry 30 April 2023. Extended at 27 March 2023 meeting to end of July 2023.

Depute Clerk of the Licensing Board

PREMISES LICENCE REVIEW HEARING – THE WOODHALL ARMS, 135-137
LANARK ROAD WEST, EDINBURGH

1. Purpose

- 1.1 To advise the Board of the premises licence review application for the Woodhall Arms, 135 Lanark Road West, Edinburgh, on which the Board previously agreed to hold a hearing.
- 1.2 To advise the Board of a request from the licence holder's agent for adjournment of the review hearing.
- 1.3 To set out the options available to the Board, in the event it decides to proceed with the hearing.

2. Main Report

- 2.1. The grounds for review of a premises licence are as set out in [section 36\(3\)](#):-
 - (a) that one or more of the licensing conditions has been breached;
 - (b) that having regard to the licensing objectives the premises licence holder is not a fit and proper person to hold the licence; or
 - (c) any other ground relevant to the licensing objectives
- 2.2. A review application was submitted by MBM Commercial LLP, legal agents for neighbours of the Woodhall Arms premises. The initial application consisted of a letter and supporting documents as listed at para 4.1 below. The applicants' agents have submitted further detailed documentation, photographs and video footage in support of the application. This was received earlier in July. It was only possible to forward this material on to the agent for the licence holder on 21st July 2023.
- 2.3. The premises licence holder is Punch Partnerships (PTL) Limited. The company holds a significant number of premises licences and is noted as having been bought by Star Pubs & Bars Limited. They are represented by Janet Hood.
- 2.4. The Council's LSOs prepared a report on the terms of the review application. When the Board gave initial consideration to the review application at its meeting on 27 February it agreed to ask Police Scotland to consider reporting on the review application. The police have provided reports for the Board's consideration.
- 2.5. The licence holder's agent has submitted a request for the review hearing to be adjourned to a later date. This has been communicated to the agents for the applicants, who have advised they oppose adjournment. The Board will therefore have to decide whether or not to adjourn the hearing.
- 2.6. In the event the Board decides to proceed with the hearing, the Board should first hear from the review applicant and then from the LSO representative. The Board would then hear from Police Scotland and finally from the licence holder or their agent in response. At the

PREMISES LICENCE REVIEW HEARING – THE WOODHALL ARMS, 135-137
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conclusion of the hearing if the Board is satisfied that it is necessary or appropriate for the purposes of any of the licensing objectives the Board can take any of the following steps:-

- (a) issue a written warning;
- (b) make a variation of the licence;
- (c) suspend the licence for such period as the Board may determine;
- (d) revoke the licence.

3. Recommendation

3.1 The Board is required:-

- (a) To consider the request for adjournment of the review hearing to a later date and, if agreed, to set that date;
- (b) In the event it decides not to adjourn, to proceed with a premises licence review hearing;
- (c) To decide at the conclusion of the hearing what action requires to be taken, having regard to the licensing objectives;

4. Background Papers

- 4.1 Application for review of premises licence, dated 3 February 2023
- 4.2 LSO report dated 12 March 2023
- 4.3 Police report dated 10 March 2023
- 4.4 Police supplementary report dated 26 April 2023
- 4.5 Police second supplementary report dated 6 June 2023

Depute Clerk of the Licensing Board

LICENSING BOARD

PREMISES LICENCE REVIEW HEARING – THE MOUSETRAP, 180 LEITH WALK,
EDINBURGH

1. Purpose

- 1.1 To advise the Board of the premises licence review application for the Mousetrap, 180 Leith Walk, on which the Board previously agreed to hold a hearing.
- 1.2 To set out the options available to the Board, in the event it decides to proceed with the hearing.

2. Main Report

- 2.1. The grounds for review of a premises licence are as set out in [section 36\(3\)](#):-
 - (a) that one or more of the licensing conditions has been breached;
 - (b) that having regard to the licensing objectives the premises licence holder is not a fit and proper person to hold the licence; or
 - (c) any other ground relevant to the licensing objectives
- 2.2. The application was submitted by Police Scotland. The premises licence holder is Star Pubs & Bars Limited. A copy of the review application was sent to the premises licence holder. The Council's LSOs were asked to prepare a report on the terms of the review application and this was also provided to the licence holder's agent.
- 2.3. The Board agreed at its meeting on 29 May to schedule the review hearing for its meeting in August. The agent for the licence holder has confirmed their readiness for the hearing proceeding at an earlier date and will be in attendance at the meeting with a representative of the licence holder.
- 2.4. Police and Licensing Standards have been informed of the possibility of the hearing proceeding one month earlier, and both have provided update reports for the Board's consideration, copied to the licence holder's agent.
- 2.5. If the Board decides to proceed with the review hearing, the Board should first hear from Police Scotland as applicant, then from the LSO Manager. The Board would then hear from the licence holder's agent in response. At the conclusion of the hearing if the Board is satisfied that it is necessary or appropriate for the purposes of any of the licensing objectives the Board can take any of the following steps:-
 - (a) issue a written warning;
 - (b) make a variation of the licence;
 - (c) suspend the licence for such period as the Board may determine;
 - (d) revoke the licence.

3. Recommendation

- 3.1 The Board is required:-

PREMISES LICENCE REVIEW HEARING – THE MOUSETRAP, 180 LEITH WALK,
EDINBURGH

- (a) to decide whether to proceed with the premises licence review hearing;
- (b) to decide at the conclusion of the hearing what action requires to be taken, having regard to the licensing objectives;

4. Background Papers

- 4.1 Application for review of premises licence, dated 11 April 2023
- 4.2 LSO report
- 4.3 Police update report
- 4.4 LSO update report

Depute Clerk of the Licensing Board